

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-10, 12-24, and 26-28 are currently pending in the present application, Claims 1, 13, 21, and 24 having been amended, and new Claims 26-28 having been added. No new matter has been added.¹

In the outstanding Office Action, Claims 1-5, 12-17, and 21-24 were rejected under 35 U.S.C. § 103(a) as unpatentable over Hameleers, et al. (PCT Pub. No. WO 01/82558, hereinafter “Hameleers”) in view of Lo, et al. (U.S. Pat. No. 6,324,178, hereinafter “Lo”); Claims 7-8 were rejected under 35 U.S.C. § 103(a) as unpatentable over Hameleers in view of Lo and further in view of Kisor (U.S. Pat. No. 6,104,720, hereinafter “Kisor”); Claims 9-10 were rejected under 35 U.S.C. § 103(a) as unpatentable over Hameleers in view of Lo and further in view of Fant (U.S. Pat. No. 6,496,509, hereinafter “Fant”); Claim 18 was rejected under 35 U.S.C. § 103(a) as unpatentable over Hameleers in view of Lo and further in view of Wellig (U.S. Pat. No. 6,505,034, hereinafter “Wellig”); and Claims 19-20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Hameleers in view of Lo and further in view of Lappeteläinen, et al. (U.S. Pat. No. 6,671,495, hereinafter “Lappeteläinen”).

Claims 1-5, 12-17, 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hameleers in view of Lo. Applicants respectfully traverse the rejection.

Independent Claims 1 and 13 have been amended to clarify that the common part is adapted to segment a data packet of said external traffic into a plurality of corresponding data packets *in accordance with* an internal protocol of the device network and for each of said at least two content-specific convergence layers. Further, the common part is adapted to reassemble data packets according to said internal protocol of the device network for each of

¹ Support for the amendments to Claims 1, 13, 21, and 24 is found at least at page 7, 2nd paragraph of Applicants' specification.

said at least two content specific convergence layers into corresponding packets of a receiving external traffic. Independent Claims 21 and 24 recite similar, corresponding method steps.

Turning to the art of record, Hameleers is directed to a communication device comprising a protocol implementation that identifies the type of media data streams. According to Hameleers, this protocol implementation performs a distribution of a given media stream into a given channel based on the type of media in the given media stream and a quality of service associated with the given channel.² However, while Hameleers describes a content detection layer and two content-specific convergence layers, Hameleers is silent regarding transmitting the data packets according to *an internal protocol of the device-network*, as well as transmitting the data packets according to the content-specific convergence layer.³

Accordingly, Hameleers fails to disclose or reasonably suggest “the common part being adapted to segment a data packet of said external traffic into a plurality of corresponding data packets in accordance with an internal protocol of the device network and for each of said at least two content-specific convergence layers,” and “the common part being further adapted to reassemble data packets according to said internal protocol of the device network and for each of said at least two content-specific convergence layers into corresponding data packets of a receiving external traffic,” as recited in Claim 1.

Further, Lo refers to a method for data transfers between domains of differing data formats. In particular, Lo describes a bridge device that is coupled between a first communication domain and a second communication domain.⁴ The first communication domain is adapted to the IEEE 1394 protocol and the second communication domain is

² See page 15, lines 12-16, of Hameleers.

³ See page 15, line 21, of Hameleers.

⁴ See Figs. 2A and 3A of Lo.

adapted to the Ethernet protocol.⁵ The bridge device in Lo transforms a data packet that is compatible with a first domain into a data packet that is compatible for the second communication domain.⁶ As a result, a device of one communication standard is able to communicate with another device of another communication domain, according to Lo.

Furthermore, Lo describes a data packet contains a header section 326, a data payload section 324 and a trailer section 322.⁷ According to Lo, a new data packet is assembled by including a new header section 330, a pointer 332, a length of the data payload 324 and an optional trailer section 328. Thus, the new header section 330 in Lo is compatible with the second communication domain, and not that the data packet of the external traffic is segmented into a plurality of corresponding data packets *in accordance with an internal protocol of the device network*, as claimed.⁸

Accordingly, Lo fails to disclose or reasonably suggest that the data packet of said external traffic is segmented into a plurality of corresponding data packets *in accordance with an internal protocol of the device network* for each of said at least two content-specific convergence layers. On one side, the second communication domain in Lo refers to the external protocol of a further domain. Therefore, the bridge device in Lo is only adapted to transform a data stream instead of facilitating any kind of network. Additionally, Lo fails to refer to the internal protocol of the device network in combination with at least two content-specific convergence layers.

Further to the above remarks, Applicants respectfully submit that this distinguishing claimed feature is not rendered obvious by a combination of Hameleers and Lo. Indeed, Claim 1 defines that the common part is adapted to segment a data packet...in accordance with an internal protocol of the device network *and* for each of said at least two content-

⁵ See column 5, line 67, and column 6, line 1, of Lo.

⁶ See column 6, 1st paragraph, of Lo.

⁷ See column 6, lines 18-20, of Lo.

⁸ See column 6, lines 35-36, of Lo.

specific convergence layers. However, applying the teaching of Lo to the teaching of Hameleers could, *at best*, result in a common part that is adapted to segment a data packet in accordance with *either* an internal protocol of the device network *or* for each of at least two content-specific convergence layers. Therefore, a common part that is adapted to segment a data packet to fulfill the requirements of the internal protocol *and* the content-specific convergence layers is not rendered obvious by the combination.

M.P.E.P. § 2143.03 requires, to establish a case of *prima facie* obviousness, that all words in a claim must be considered in judging the patentability of the claim against the prior art. Further, M.P.E.P. § 2123 I states that a reference may be relied on for all it would have reasonably suggested to one having ordinary skill in the art, including non-preferred embodiments.

Therefore, Applicants respectfully submit that Hameleers and Lo do not anticipate or render obvious the features of amended Claim 1. Therefore, independent Claim 1 (and claims dependent therefrom) are believed to patentably define over Hameleers and Lo.

Independent Claim 13, while differing in scope from Claim 1, patentably defines over Hameleers and Lo for substantially the same reasons as Claim 1. Accordingly, it is respectfully submitted that Hameleers and Lo do not anticipate or render obvious the features of Claim 13. Therefore, independent Claim 13 (and claims dependent therefrom) is believed to patentably define over Hameleers and Lo.

Independent Claims 21 and 24, while differing in scope and statutory class from Claim 1, patentably defines over Hameleers and Lo for substantially the same reasons as Claim 1. For example, Claims 21 and 24 recite “segmenting a data packet...according to an internal protocol of the device network and for the content-specific convergence layer,” “transmitting said data packets...according to an internal protocol of the device network,” and “reassembling... said data packets according to the internal protocol of the device

network.” As noted above, Hameleers describes that the various channels are dedicated for audio (A_i) and for video (V_i).⁹ Further, since Lo refers to a bridge, Lo fails to disclose “transmitting said data packets” and that this transmission is effected according to the *internal protocol* of the device network. Accordingly, for all of the above reasons, it is respectfully submitted that Hameleers and Lo do not anticipate or render obvious the features of Claims 21 and 24. Therefore, independent Claims 21 and 24 (and claims dependent therefrom) are believed to patentably define over Hameleers and Lo.

With regard to the rejection of Claims 7 and 8 as unpatentable over Hameleers in view of Lo and further in view of Kisor, it is noted that Claims 7 and 8 are dependent from Claim 1, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Kisor does not cure any of the above-noted deficiencies of Hameleers and Lo. Accordingly, it is respectfully submitted that Claims 7 and 8 are patentable over Hameleers, Lo, and Kisor.

With regard to the rejection of Claims 9 and 10 as unpatentable over Hameleers in view of Lo and further in view of Fant, it is noted that Claims 9 and 10 are dependent from Claim 1, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Fant does not cure any of the above-noted deficiencies of Hameleers and Lo. Accordingly, it is respectfully submitted that Claims 9 and 10 are patentable over Hameleers, Lo, and Fant.

With regard to the rejection of Claim 18 as unpatentable over Hameleers in view of Lo and further in view of Wellig, it is noted that Claim 18 is dependent from Claim 13, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Wellig does not cure any of the above-noted deficiencies of

⁹ See page 15, line 21 to 22, of Hameleers.

Hameleers and Lo. Accordingly, it is respectfully submitted that Claim 18 is patentable over Hameleers, Lo and Wellig.

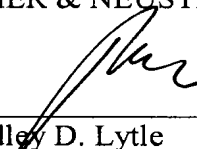
With regard to the rejection of Claims 19 and 20 as unpatentable over Hameleers in view of Lo and further in view of Lappeteläinen, it is noted that Claims 19 and 20 are dependent from Claim 13, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Lappeteläinen does not cure any of the above-noted deficiencies of Hameleers and Lo. Accordingly, it is respectfully submitted that Claims 19 and 20 are patentable over Hameleers, Lo, and Lappeteläinen.

Finally, new Claims 26-28 are supported at least by the specification at page 10, line 33, at page 13, line 14, at page 12, 1st and 2nd paragraphs, at page 1, line 4, and by Fig. 3. As new Claims 26-28 depend from Claims 1 or 13, new Claims 26-28 are believed to be patentable for at least the reasons described above with respect to these claims. Further, new Claims 26-28 are believed to recite subject matter that further defines over the cited references. For example, Claim 26 recites “a plurality of interconnects that are adapted to receive and send data according to different external network protocols, respectively.” Indeed, as seen in Figs. 5 and 6 of Hameleers, the data are introduced via one single network (UMTS) protocol. Moreover, according to Lo the data are input via one single protocol, which is in contrast to the subject-matter of Claim 26. Therefore, new Claims 26-28 are also allowable.

Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)